

Law Offices of Herbert Weinberg

805 Turnpike Street Ste 201
 North Andover, MA 01845-6122

Invoice

Date	Invoice #
7/20/2017	1683

Bill To
Michael R. Conwell Carol J. Casey-Conwell 2155 Turnpike Street North Andover, MA 01845

						Project
Attorney	Code	Description	Date	hours	Rate	Amount
BNJ2012		Research of law, re foreclosure issues.	12/19/2016	0.5	275.00	137.50
HW		Telephone call with Michael, re: foreclosure; research regarding notice and law firm conducting sale; office conference with B. Jacob; review tracking order and discovery notices not delivered and New Bedford regarding telephone call to post office; telephone call to M. Pratt and clients; meet with Michael and emergency filing; telephone call and e-mail with M. Pratt, re: failure to file before memorandum of sale executed.	12/19/2016	4.5	300.00	1,350.00
HW		Telephone call to post office supervisor; telephone call to Michael regarding mailbox and picture regarding same.	12/20/2016	1	300.00	300.00
HW		Telephone call to Gordon at post office, clients and Marcus	12/21/2016	1	300.00	300.00
HW		Telephone call to Gordon with ; telephone call to Michael regarding same; telephone call to foreclosure attorney regarding service and e-mail Marcus regarding same; review statute	12/22/2016	1.5	300.00	450.00
HW		Review e-mail regarding when sale will be recorded; telephone call to Marcus and client regarding same.	12/28/2016	0.8	300.00	240.00
HW		Draft e-mail regarding refiling.	12/29/2016	0.3	300.00	90.00
				Total		
				Payments/Credits		
				Balance Due		

Fax #
(978) 682-3041

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HW		Emil Marcus regarding for bankruptcy; telephone call to Michael and Carol regarding need for both in bankruptcy and work on pleadings.	1/2/2017		300.00	300.00
HW		Review e-mail from Marcus and telephone call to clients and refile.	1/3/2017	0.3	300.00	90.00
HW		Draft motion to dismiss.	1/5/2017	0.3	300.00	90.00
HW		Prepare pleadings for new bankruptcy; meeting with Debtors, re: refiling bankruptcy.	1/5/2017	1.5	300.00	450.00
HW		Worked on CMI and meeting with clients.	1/5/2017	1.5	300.00	450.00
HW		Meeting with clients and refile	2/3/2017	0.5	300.00	150.00
HW		Meeting with client; add additional creditors and prepare motions, work on pleadings; e-mail Marcus regarding automatic stay	2/6/2017	2	300.00	600.00
HW		Worked on pleadings and CMI to minimize disposable income.	2/20/2017	2	300.00	600.00
HW		Attend meeting of creditors.	3/17/2017	3	300.00	900.00
HW		Review file.	4/6/2017	0.5	300.00	150.00
HW		Worked on CMI and Schedules I and J to determine overtime and expenses; revise plan to reflect claims on file.	4/9/2017	2	300.00	600.00
HW		Review order, re: service and arrange service in accordance with order.	5/2/2017	0.2	300.00	60.00
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HW		Telephone call to Dennis of IRS, re: claim and filing.	5/8/2017	0.2	300.00	60.00
HW		Review of proofs of claim of IRS; review amended plan by Chapter 13 Trustee; telephone call with Leo, re: 100% plan and amend claim; review and execute modification of plan; review and draft response to Motion for Relief, re: car.	5/8/2017	0.8	300.00	240.00
HW		Telephone call with Michael; draft response to Motion for Relief.	5/9/2017	0.8	300.00	240.00
HW		Review objection to claim; start working on revising plan.	5/19/2017	0.4	300.00	120.00
HW		E-mail with MMCA counsel; client believe it is current; review motion to continue.	5/22/2017	0.3	300.00	90.00
HW		Telephone call to Bill regarding settlement; telephone call to Michael regarding same; telephone call to National Grid.	7/18/2017	0.8	300.00	240.00
HW		Attend hearing - Motion for Relief	7/19/2017	3	300.00	900.00
HW		Worked on Fee Application	7/24/2017	1	300.00	300.00
HW		Worked on post-confirmation plan.	7/25/2017	1	300.00	300.00
					Total	\$9,797.50
					Payments/Credits	\$0.00
					Balance Due	\$9,797.50

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Expenses

Michael Conwell and Carol Casey-Conwell

February 20, 2017

Chapter 13 Plan

Copies

5 pp x .15 = .75 x 8 = \$6.00

Postage

8 x .46 = \$3.68

March 17, 2017

Attend meeting of creditors

Travel: = \$33.30

Parking: \$3.00

April 7, 2017

Motion to Amend Schedule F and Amended Schedule F

Copies

9 pp x .15 pp = \$1.35 x 4 = \$5.40

Postage

.67 x 4 = \$2.68

April 10, 2017

Motion to Amend Chapter 13 Plan and Amended Plan

Copies:

6 pp x .15 pp = \$.90 x 16 = \$14.40

Postage

.46 x 16 = \$7.36

April 13, 2016

Motion to Amend Matrix

Copies

1 pp x .15 pp = .15 x 16 = \$2.40

Postage

.46 x 16 = \$7.36

TOTAL EXPENSES: \$85.58

NARRATIVE

MICHAEL CONWELL and CAROL CASEY-CONWELL

The Debtor had come to counsel significantly in arrears on their first mortgage. As they could not cure the arrears, they had to file a Chapter 13 proceeding.

The Debtors needed time to pay a retainer. They were told to monitor their mail for a foreclosure notice. On Thursday, December 19, 2016, counsel had been fully paid and the Debtor had arranged to meet, sign and file their Chapter 13. Due to a medical appointment for a multi hour treatment, they postponed filing to the following Monday.

The Debtor at the doctor's office got a telephone call from their son that there was a crowd in front of their house around 11:30 a.m. The Debtor's called counsel and counsel told the Debtor to have their son go out and investigate. Their son reported that there was to be an auction within a few minutes. As the wife was in the middle of a medical treatment, the husband rushed to counsel's office to file the bankruptcy hopefully before the memorandum of sale was signed.

The bankruptcy was filed, but it turned out to be after the execution of the memorandum of sale. After the Debtors said they never received a foreclosure notice, counsel asked bank counsel to see proof of service of the foreclosure sale. It turned out that the tracking number showed that the United States Post Office claimed it was not possible to serve the four certified letters except for one they served in North Attleboro instead of North Andover. The United States Post Office said the letters were undeliverable, when in fact it was as the Debtors had a custom made solar powered mail box by the side of the road.

Counsel called the post office supervisor along with counsel for the bank for clarification of service. The supervisor stated that service was likely never attempted. The supervisor wanted to know if he could cure the defect in the notice by serving the notice of foreclosure after the foreclosure had taken place. Shortly thereafter, the bank agreed to void the sale.

Counsel dismissed the first bankruptcy as Carol Casey-Conwell had debt and the viability of the Chapter 13 would be impaired if she did not also file bankruptcy.

Counsel prepared the pleadings and attended the meetings of creditors. A dispute about payment with the car loan resulted in a motion for relief. Also, the Plan was amended to address the concerns of the Chapter 13 Trustee and to pay creditors in full over time.